

Atty. Dkt. G-72

37 CFR 10(a) Certificate

Express Mailing Label No.: EL 446 868 822

Date of Deposit: MAR 13 2001

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I hereby certify that this communication is being deposited with the United States postal service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Roland Plottel
Roland Plottel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Peter Harold COLE
U.S. Serial No.	:	09/744 145
U.S. Filing Date	:	Jan 18, 2001
Int'l Appl. No.	:	PCT/AU 99/00587
IA Filing Date	:	20 July 1999
For	:	Metal Screened Electronic Labelling System

AMENDMENT C

MAR 13 2001

This is in response to the February 27, 2001 "Notification of Missing Requirements . . ." (Form PCT/DO/EO/905) that has a term for reply to expire on March 27, 2001.

The notification is a requirement for submission of the inventor's oath or declaration.

On January 30, 2001, applicant's attorney filed in the Office the inventor's declaration. This should be a complete response to the February 27, 2001 notification.

Please find attached a true copy of:

1. ✓ The amendment submitted to the Office on January 30, 2001 (1 page).
2. ✓ Inventor's declaration (2 pages).
3. ✓ Copy of Form PTO-1390.

Amendment C
Ser. No. 09/744,145
Page 2

4. ✓ Postcard receipt for the January 30, 2001 submission.
5. ✓ Copy of the February 27, 2001 PCT/DO/EO/917 notification. (2 pages) ^{905 and}_^

The Office is respectfully requested to search its records, and if it cannot locate the inventory's declaration filed on January 30, 2001, then to accept the attached true copy thereof.

If any fee is required, please charge deposit account 16-2128.

Respectfully submitted,



Roland Plottel
PTO 20,707

Tel: 212 489-7073
Fax: 212 489-7075
Roland Plottel
Rockefeller Center Stn.
P.O. Box 293
New York, NY 10185-0293

Atty. Dkt. G-72 .

37 CFR 10(a) Certificate

Express Mailing Label No.: EL 446 868 819

Date of Deposit: JAN 30 2001

I hereby certify that this communication is being deposited with the United States postal service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Commissioner of Patents and Trademarks, Washington, D.C. 20231.


Roland Plöttel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Peter Harold COLE
U.S. Serial No.	:	09/744 145
U.S. Filing Date	:	Jan 18, 2001
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For	:	Metal Screened Electronic Labelling System

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AMENDMENT B
SUBMISSION OF INVENTOR'S DECLARATION

This will supplement the documents submitted to the Office on January 18, 2001.


Please find attached:

1. Inventor's Declaration (2 pages)
2. Copy Form PTO 1390 submitted to the Office on January 18, 2001.

Please enter the attached Declaration in the file of this application.

If any fee is required, please charge deposit account 16-2128.

Respectfully submitted,


Roland Plöttel
PTO 20,707

Tel: 212 489-7073
Fax: 212 489-7075
Roland Plöttel
Rockefeller Center Stn.
P.O. Box 293
New York, NY 10185-0293

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

Address all correspondence to:

Roland PLOTTEL
ROCKFELLER CENTER SM
PO BOX 293
NY 10185-0293

USA

Address all telephone calls to: Roland PLOTTEL at (212) 489-7073.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	SIGNATURE	DATE		
Peter COLE	<i>Peter B. Cole</i>	16 Jan 01		
RESIDENCE	CITIZENSHIP			
7, Dutton Grove, West Lakes Shore, S.A. 5020 AUSTRALIA	AUSTRALIAN			
POST OFFICE ADDRESS				
7, Dutton Grove, West Lakes Shore, S.A. 5020 AUSTRALIA				

Form PTO-100 (Rev. 1-91)
U
ATTORNEY OF CORRESPONDENCE, PATENT AND TRADEMARK OFFICE
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/E/OUS) CONCERNING A FILING UNDER 35 U.S.C. 371
INTERNATIONAL APPLICATION NO. PCT/AU99/00587
INTERNATIONAL FILING DATE 20 July 1999
PRIORITY DATE CLAIMED 20 July 1998
TITLE OF INVENTION Metal Screened Electronic Labelling System
APPLICANT(S) FOR DO/E/OUS Peter Harold Cole
Applicant herewith submits to the United States Designated/Elected Office (DO/E/OUS) the following items and other information:
1. [X] This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. [] This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. [] This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. [] A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. [X] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
a. [X] is transmitted herewith (required only if not transmitted by the International Bureau).
b. [X] has been transmitted by the International Bureau. ALL [X] 366
c. [] is not required, as the application was filed in the United States Receiving Office (RO/US).
6. [] A translation of the International Application into English (35 U.S.C. 371(c)(2)). Not required because
7. [] Amendments to the claims of the International Application under PCT Article 19(3) and 37(c)(3) English.
a. [] are transmitted herewith (required only if not transmitted by the International Bureau).
b. [] have not been made; however, the time limit for making such amendments has NOT expired.
c. [] have not been made and will not be made.
d. [] have not been made and will not be made.
8. [] A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. [X] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. [] A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
Items 11. to 16. below concern document(s) or information included:
11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. [] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 1.98 and 3.31 is included.
13. [X] A FIRST preliminary amendment. Please enter before calculating the filing fee.
[] A SECOND or SUBSEQUENT preliminary amendment.
14. [] A substitute specification.
15. [] A change of power of attorney and/or address letter.
16. [] Other items or information:
[] 308

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) PCT/AU99/00587 INTERNATIONAL APPLICATION NO. G-72 ATTORNEY'S DOCKET NUMBER
17. [] The following fees are submitted:
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1070.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$450.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$930.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$720.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$98.00
ENTER APPROPRIATE BASIC FEE AMOUNT = \$
ENTER OTHER APPLICABLE AMOUNTS (if any) = \$
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 30
CLAIMS NUMBER FILED NUMBER EXTRA RATE
Total claims 44 31-20 = 13 x \$82.00 1066
Independent claims 3 - 3 = 0 x \$82.00 0
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00
TOTAL OF ABOVE CALCULATIONS = \$ 1292.10
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). \$
Processing fee of \$130.00 for furnishing the English translation later than 20 months from the earliest claimed priority date (37 CFR 1.492(f)). \$
SUBTOTAL = \$ 1422.10
TOTAL NATIONAL FEE = \$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$
TOTAL FEES ENCLOSED = \$
Amount to be refunded: \$
charged: \$
a. [X] A check in the amount of \$ 797.94 to cover the above fees is enclosed.
b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
c. [] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-2128. A duplicate copy of this sheet is enclosed.
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.
SEND ALL CORRESPONDENCE TO:
Roland Plottel
Rockefeller Center Stn.
P.O. Box 293
New York, N.Y. 10185-0293
SIGNATURE: Roland Plottel
NAME: Roland Plottel
REGISTRATION NUMBER: 20207
212 489-7073 (telephone)
212 489-7076 (fax)
FORM PTO-100 (REV. 1-91) PAGE 1 OF 2

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RECEIVED IN THE USPTO PCT/US/EO

Atty. Dkt.: G-72
U.S. Ser No. 09/744 145
I.A. Application: PCT/AU99/00587
Due: n.t.

RECEIVED
JAN 30 2001
G-72

1. ✓ amend B (1 p)
2. ✓ inventor's declaration 2 pages
3. ✓ copy -- PCT trans. letter - PTO 1390 (2 p)
4. ✓ 10(a) Cert. Ex. Mail 446 868 819

C:\G\G-72.PCA



JAN 30 2001

526 Rec'd PCT/PTO 30 JAN 2001



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744145	COLE	P G-72
INTERNATIONAL APPLICATION NO.		
PCT/AU99/00587		
I.A. FILING DATE	PRIORITY DATE	
20 JUL 99	20 JUL 98	

ROLAND PLOTTEL
ROCKEFEKKER CENTER
PO BOX 293
NEW YORK, NY 10185 0293

DATE MAILED: 27 FEB 2001

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence of each inventor.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Christine S. Washington
Telephone: 703-305-3752



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

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MAR - 7 2001

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744145	COLE	P G-72

ROLAND PLOTTEL
ROCKEFEKKER CENTER
PO BOX 293
NEW YORK, NY 10185 0293

INTERNATIONAL APPLICATION NO.	
PCT/AU99/00587	
I.A. FILING DATE	PRIORITY DATE
20 JUL 99	20 JUL 98
DATE MAILED: 27 FEB 2001	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☒ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 18 JAN. 2001 and
- ☒ Information Disclosure Statement(s) filed 18 JAN. 2001 and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☒ Other: IB 304, 308, 331

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Christine S. Washington

Telephone: 703-305-3752